

93. **Mail Stop RCE**

SEP 30 2003

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RCE/28261#
PTO/SB/39-08-001

PATENT & TRADEMARK

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/051,059
Filing Date	January 22, 2002
First Named Inventor	CANHAM et al
Group Art Unit	2826 ✓
Examiner Name	M. Tran
Attorney Docket Number	124-919

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
 - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
- b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement (IDS)
 - iv. ☐ Other _____

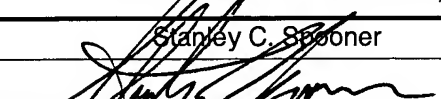
2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 35 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1140 10/02/2003 WDELETE1 00000062 10051059
 - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e) 01 FC:1801 750.00 0P
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 02 FC:1201 168.00 0P
 - iii. ☒ Other any deficiencies of fees
- b. ☒ Check in the amount of \$750.00 enclosed
- c. ☐ Payment by credit card (For PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Stanley C. Spooner	Registration No. (Attorney/Agent)	27,393
Signature		Date	September 30, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450,

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
SEP 30 2003

Atty Dkt. 124-919

C# M#

CANHAM et al

Group Art Unit: 2826

Serial No. 10/051,059

Examiner: M. Tran

Filed: January 22, 2002

Date: September 30, 2003

Title: ELECTROLUMINESCENT DEVICE COMPRISING POROUS SILICON

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment	13	minus highest number			
previously paid for	20	(at least 20) =	0	x	\$ 18.00
					\$ 0.00

Independent claims after amendment	7	minus highest number			
previously paid for	5	(at least 3) =	2	x	\$ 84.00
					\$ 168.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$410.00/2 months; \$930.00/3 months)	\$ 0.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$750.00)	\$ 0.00
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☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 168.00

If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
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☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other: i	0.00
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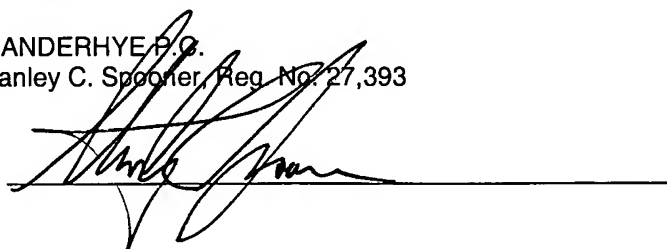
TOTAL FEE ENCLOSED \$ 168.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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SCS:kmm

NIXON & VANDERHYTE P.C.
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: _____





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CANHAM et al

Atty. Ref.: 124-919; Confirmation No. 2730

Appl. No. 10/051,059

Group: 2826

Filed: January 22, 2002

Examiner: M. Tran

For: ELECTROLUMINESCENT DEVICE COMPRISING POROUS SILICON

* * * * *

September 30, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT

This Amendment is submitted concurrent with a Request for Continued Examination. Please amend the above-identified application as follows.